



DETENTION ORDER - Page 2

☐ Parole

☐ Release pending trial, sentence, appeal or completion of sentence.

(c) Other Factors:

☐ The defendant is an illegal alien and is subject to deportation.

☐ The defendant is a legal alien and will be subject to deportation if convicted.

☐ The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal.

☐ Other: \_\_\_\_\_

- X   (4) The nature and seriousness of the danger posed by the defendant's release are as follows: The nature of the charges in the complaint, the defendant's prior criminal arrest record, the border incident in December 2003, and the violation of defendant's probation in the State of New Mexico.

**D. Additional Directives**

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: July 11, 2005.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge